

**REMARKS/ARGUMENTS****Amendment of the Claims**

Upon entry of the claim amendments, Claims 51-92 will be all the claims pending in the application.

Claims 14-20 and 39-48 were previously withdrawn and are canceled herein.

Claims 1-13, 21-38, 49 and 50 are canceled herein.

New claims 51-92 are fully supported by the specification.

Applicants have submitted new claims 51-92 to more clearly delineate the patentable features of the present invention.

No new matter has been added.

Applicants note with appreciation Examiner's indication of allowable subject matter at section 22, page 7, of the Office Action.

**Rejection under 35 U.S.C. § 101 and § 112**

At section 1, page 2 of the Action, claims 1 and 49 have been rejected under 35 U.S.C. §§101 and 112 as being directed to non-statutory subject matter.

This rejection has been rendered moot by the submission of new claims 51-92.

Reconsideration and withdrawal of this rejection is respectfully requested.

The Office Action contains a total of two § 103 rejections. Applicants respectfully traverse both of these rejections.

**First Rejection Under 35 U.S.C. § 103(a)**

At section 1, page 3 of the Action, claims 1-8, 21-28, 38, 49 and 50 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,167,382 to Sparks *et al* in view of "Flexible Modeling and Execution of Workflow Activities" by Weske.

This rejection has been rendered moot by the submission of new claims 51-92.

Examiner states in the Action that "Sparks shows (a) entering digital data presenting a design and a product design into a computer system (Column 2, lines 36-39); (b) entering digital data presenting an order for delivery of a specified quantity of an item, incorporating the product design (Column 10, line 65 - column 11, line 15)."

Attorney Docket No. 10240/2

Further, at section 5 of the Office Action, Examiner states "many printed items can be 'packaging products' with a simple shape change, there would be no change to the system or method of standard printing if the printing was to happen on differently shaped stock or meant for another purpose."

In the present application, "packaging product design" is defined as "the combination of the Packaging Design (the package design being the graphic design (image) displayed on a package) with the structure of the package, which includes at least some of the materials used to make the package." See page 4, lines 31-33 of the specification, and new claims 51, 56, 67 and 72. Examiner is further directed to Figure 10B, an exemplary monitor view of a packaging structure in accordance with the current application. As demonstrated in this Figure, the package structure of the Packaging Product Design provides very specific information regarding the substrate, adhesive and other layers of a package, including a general description, supplier name, materials, the weight of each structural layer and the unit of measure associated with the weight. The packaging product design is, therefore, not limited to the shape of a package or a method of printing as stated by Examiner.

The digital data contained in the Packaging Product Design, including package structure, is an integral part of current invention, as claimed in the new claims set forth above. The Packaging Product Design digital data is utilized by the computer system in the order management process to check "for the availability of materials" (page 17, line 2). The data is further used in the materials requirements planning process for calculating "requirements for substrates and adhesives" (page 17, line 12-13), and comparing these requirements to "quantities available in stock and quantities on order to generate net requirements for purchasing" (page 17, lines 15-16). Further, the package structure is linked to an image "to create an end user item", and which allows the end user to create "a purchase order in the end user's legacy purchasing system" (page 24, lines 7-8).

Regarding Weske, the method taught therein terminates after "a time slot for the potential production is reserved" (section 4.1) and communication of the delivery date of the product is provided to the customer. See Weske section 4.1 and Figures 3 and 4. The method and computer system of the current application, however, extends beyond these steps.

Specifically, Applicants invention provides: a digital confirmation of the acceptance of a packaging order (page 26, line 16); material requirements planning including generation of a materials requirements list based upon acknowledgement of a packaging order (page 8 line 27-28, page 17 line 11-16, and page 27, line 28); procurement of raw materials and

USSN: 09/992,345

10 of 12

October 9, 2006

Attorney Docket No. 10240/2

services including notification to suppliers of requirements for materials and/or services, transfer of materials and/or services requirements to purchasing systems, materials and/or services orders from suppliers, and status of materials and/or services orders; production schedules (page 8, line 28 and page 9, lines 7-12); confirmation of packaging order status to an end user (page 12, line 5); and access control to digital data in the networked environment (page 9, line 22).

Neither Sparks *et al* nor Weske teach entering and analyzing digital data, including data representing a Packaging Product Design into a computer system to return a digital output having the information required to fulfill a packaging order, wherein the digital output includes at least one of the items listed in the previous paragraph. (See, e.g., new claims 59 and 77).

Additionally, Examiner states in section 16 of the action, Sparks *et al* in view of Weske "does not show wherein the computer system is programmed to schedule a plurality of accepted order using decision support tools that provide immediate feedback on the impact of adding an order to a schedule, moving an order in a schedule, or deleting an order from a schedule", as required by claim 87.

#### **Second Rejection Under 35 U.S.C. § 103(a)**

At section 15, page 6 of the Action, claims 34-37 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,167,382 to Sparks *et al* in view of "Flexible Modeling and Execution of Workflow Activities" by Weske and further in view of U.S. Patent No. 6,415,196 to Crampton *et al*.

Applicants believe this rejection has been rendered moot in light of the claim amendments.

As with Sparks *et al* above, Crampton *et al* do not teach entering and analyzing digital data representing a Packaging Product Design into a computer system to return a digital output having the information required to fulfill a packaging order.

Further, at column 12, lines 43-44 Crampton *et al* discuss insufficiency of resources by stating that "the user will recognize the necessity to obtain the additional resources." However, Crampton *et al* do not offer a means for procurement of necessary resources, as stated in the current application at page 8, line 28 and page 9, lines 7-12, and discussed above.

For the reasons stated above with respect to Crampton *et al*, and the previous discussion regarding Sparks *et al* and Weske, Applicants respectfully submit that the current

USSN: 09/992,345

11 of 12

October 9, 2006

Attorney Docket No. 10240/2

invention is not disclosed, taught or suggested by Sparks *et al* in view of Weske and in further view of Crampton *et al*.

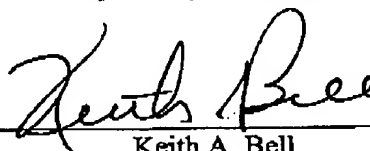
Finally, none of Sparks *et al*, Weske or Crampton *et al* teach the use of metadata for item creation, production planning, and scheduling, as is required by the new claims. See also page 12, beginning at line 19 the subsection of the application entitled "Image Metadata".

The proposed combination of the prior art does not meet each and every element of the currently submitted claims, as discussed above.

For the foregoing reasons, Applicants respectfully request the withdrawal of the §103 rejections.

Reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which Examiner feels may be best resolved through a personal or telephone interview, he is kindly requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,



Keith A. Bell  
Attorney for Applicants  
Registration No. 30,023

October 9, 2006  
Date

ExxonMobil Chemical Co.  
Law Technology  
P.O. Box 2149  
Baytown, Texas 77522-2149  
Phone: 281-834-2307  
Fax: 281-834-2495